

**Remarks/Arguments:**

This Amendment is supplemental to that filed with the Request for Continued Examination dated November 23, 2009. Claims 1-17 are pending in the application.

Applicants thank Examiners Thomas and Kopec for discussing this application with Applicants' representatives, Frank Tise and Chris Lewis, by telephone on January 7, 2010. During that interview, Examiners Thomas and Kopec indicated that certain amendments to claims 1 and 17 would clarify the scope of coverage sought by Applicants, as discussed and agreed by all attendees. It was preliminarily believed that no additional barriers to allowance were apparent at the time of the interview, subject to further review and confirmation by the Examiner. Applicants believe that the points of distinction between Applicants' claims and the relied-upon references are clear from the record, particularly from the amendment filed on July 22, 2009, and as elaborated upon below. Applicants thank Examiners Thomas and Kopec for their helpful suggestions as to suitable claim amendments, and include herewith the amendments that they believe were suggested.

As requested by the Examiners, claims 1 and 17 are amended to clarify what is connected by the optional electron-donating groups and the optional electron-withdrawing groups. Support for the amendments can be found in the published application in paragraph [0013], which says that phenylene groups in the aromatic backbone are suitably attached to connecting groups or to other aromatic groups. Thus, the connecting groups are optional. An example with no connecting groups is the first structure at the top of page 2, column 2. An example with electron-donating (ether) connecting groups is the second structure at the top of page 3, column 1. Similar disclosure relating to electron-withdrawing groups in the spacer regions can be found at paragraph [0015] and in the structures shown on page 4.

During the interview, the final structure in Scheme 1 of the McGrath reference was discussed, particularly as to whether it implied an alternating sequence of ion-conducting and non-conducting regions. Applicants' representatives noted that the random structure of McGrath's copolymers are revealed by the methods McGrath uses to make them, as seen for example in Scheme 2. In that Example, as elsewhere, monomers with ion-conducting sulfonic acid groups are mixed with monomers that lack such groups for reaction with the complementary bis-phenolic compound. Thus, the positioning of the ion-conducting groups and the non-conducting groups is random, not alternating.

The Examiners requested that Applicants provide basis for the newly added formula in claim 17, noting that such basis does not have to be literal. Accordingly, Applicants point to the second polymeric structural formula shown on page 6 of the published application. In that structure, the A region includes the two phenyl rings bearing  $\text{SO}_3\text{H}$  groups. The B region includes the remaining seven phenyl rings, some of which are connected by electron-withdrawing groups ( $\text{CO}$  or  $\text{SO}_2$ ). The  $(\text{d})_n$  groups are the ether oxygen atoms joining the A and B regions, where d is oxygen and  $n=1$ . Another example is the last polymeric structure on page 11 of the published application, where the A region includes three sulfonated phenyl rings connected by the optional electron-donating groups (ether oxygen atoms, in this case) recited in the claim. Other examples are found throughout the specification. Thus, claim 17 does not contain new matter.

Applicants believe that the application is now in condition for allowance, and respectfully request favourable action. Applicants invite the Examiner to contact their undersigned representative, Frank Tise, if it appears that this may expedite examination.

Respectfully submitted,



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CRL/FPT/gdb/lrb

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